

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ENTROPIC COMMUNICATIONS, LLC,

Plaintiff

v.

CHARTER COMMUNICATIONS, INC.,

Defendant.

Civil Action No. 2:22-cv-00125-JRG

JURY TRIAL DEMANDED

**DECLARATION OF ELIZABETH LONG IN SUPPORT OF
CHARTER'S MOTION TO STRIKE ENTROPIC'S
IMPROPER SECONDARY CONSIDERATIONS POSITIONS**

I, Elizabeth Long, declare as follows:

1. I am counsel with the law firm Arnold & Porter Kaye Scholer LLP, counsel for Charter Communications, Inc. in the above captioned action. The statements made herein are of my own knowledge and, if called upon to testify thereof, I could and would do so competently.

2. I make this declaration in support of Charter's Motion to Strike Entropic's Improper Secondary Considerations Positions.

3. **Exhibit A** is a true and correct copy of an excerpt of Plaintiff Entropic Communications, LLC's Third Supplemental Responses to Defendant's First Set of Interrogatories to Plaintiff (Nos. 2, 3, 4, 15, 16), dated July 21, 2023.

4. **Exhibit B** is a true and correct copy of excerpts of the Rebuttal Expert Report of Dr. Richard A. Kramer Concerning Validity of U.S. Patent Nos. 8,223,775 and 9,210,362 and

Alleged Non-Infringing Alternatives of U.S. Patent No. 8,223,775 and U.S. Patent No. 9,210,362, dated August 11, 2023.

5. **Exhibit C** is a true and correct copy of excerpts of the Rebuttal Expert Report of Matthew A. Pooley Regarding Validity of U.S. Patent Nos. 8,792,008 and 9,825,826, dated August 11, 2023.

6. **Exhibit D** is a true and correct copy of excerpts of the Rebuttal Expert Report of John Holobinko Regarding Validity of U.S. Patent Nos. 8,284,690 and 10,135,682, dated August 11, 2023.

7. **Exhibit E** is a true and correct copy of an excerpt of Defendants Charter Communications, Inc.; Spectrum Advanced Services, LLC; and Spectrum Management Holding Company, LLC's First Set of Interrogatories to Plaintiff (Nos. 1–23), dated November 22, 2022.

8. **Exhibit F** is a true and correct copy of an excerpt of Plaintiff Entropic Communications, LLC's Responses to Defendants Charter Communications, Inc.; Spectrum Advanced Services, LLC; and Spectrum Management Holding Company, LLC's First Set of Interrogatories to Plaintiff (Nos. 1–23), dated December 22, 2022.

9. **Exhibit G** is a true and correct copy of an excerpt of Defendant's Notice of 30(b)(6) Deposition to Plaintiff, dated April 3, 2023.

10. **Exhibit H** is a true and correct copy of an excerpted transcript of the [REDACTED]
[REDACTED]

I declare under penalty of perjury that the above is true and correct.

Dated: September 11, 2023

Respectfully submitted,

/s/ Elizabeth Long
Elizabeth Long